

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 227

AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-24-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) The bureau shall adopt rules under IC 4-22-2 to regulate persons required to hold a commercial driver's license.

(b) The rules must carry out 49 U.S.C. 521, 49 U.S.C. 31104, 49 U.S.C. 31301 through 31306, 49 U.S.C. 31308 through 31317, and 49 CFR 383 through 384, and may not be more restrictive than the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law 106-159.113 Stat. 1748).

(c) Rules adopted under this section must include the following:

- (1) Establishment of classes and periods of validation of commercial driver's licenses.
- (2) Standards for commercial driver's licenses, including suspension and revocation procedures.
- (3) Requirements for documentation of eligibility for legal employment, as set forth in 8 CFR 274a.2, and proof of residence in Indiana.
- (4) Development of written or oral tests, driving tests, and fitness requirements.
- (5) Defining the commercial driver's licenses by classification and the information to be contained on the licenses, including the ~~Social Security number~~ and a unique identifier of the holder.

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(6) Establishing fees for the issuance of commercial driver's licenses, including fees for testing and examination.

(7) Procedures for the notification by the holder of a commercial driver's license to the bureau and the driver's employer of pointable traffic offense convictions.

(8) Conditions for reciprocity with other states, including requirements for a written commercial driver's license test and operational skills test, and a hazardous materials endorsement written test and operational skills test, before a license may be issued.

(9) Other rules necessary to administer this chapter.

(d) 49 CFR 383 through 384 are adopted as Indiana law.

SECTION 2. IC 9-24-9-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. Each application for a license or permit under this chapter must require the following information:

(1) The name, date of birth, sex, Social Security number, and mailing address and, if different from the mailing address, the residence address of the applicant. The applicant shall indicate to the bureau:

(A) which address the license or permit shall contain; and

(B) whether the Social Security number or another distinguishing number shall be the distinctive identification number used on the license or permit.

(2) Whether the applicant has been licensed as an operator, a chauffeur, or a public passenger chauffeur or has been the holder of a learner's permit, and if so, when and by what state.

(3) Whether the applicant's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.

(4) Whether the applicant has been convicted of a crime punishable as a felony under Indiana motor vehicle law or any other felony in the commission of which a motor vehicle was used.

(5) Whether the applicant has a physical or mental disability, and if so, the nature of the disability and other information the bureau directs.

The bureau shall maintain records of the information provided under subdivisions (1) through (5).

SECTION 3. IC 9-24-11-5, AS AMENDED BY SEA 223-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) A permit or license issued under this chapter must bear the distinguishing number assigned to the permittee or

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licensee, and must contain:

- (1) the name of the permittee or licensee;
- (2) the date of birth of the permittee or licensee;
- (3) the mailing address or residence address of the permittee or licensee;
- (4) a brief description of the permittee or licensee;
- (5) if the permittee or licensee is less than eighteen (18) years of age at the time of issuance, the dates on which the permittee or licensee will become:
 - (A) eighteen (18) years of age; and
 - (B) twenty-one (21) years of age;
- (6) if the permittee or licensee is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the permittee or licensee will become twenty-one (21) years of age; and
- (7) except as provided in subsection (c), for the purpose of identification, a:
 - (A) photograph; or
 - (B) computerized image;
 of the permittee or licensee;

and additional information that the bureau considers necessary, including a space for reproduction of the signature of the permittee or licensee. **If the permittee or licensee has not indicated to the bureau under IC 9-24-9-2 that the Social Security number shall be the distinguishing number to be used, the Social Security number may not be shown on the permit or license.**

(b) In carrying out this section, the bureau shall obtain the equipment necessary to provide the photographs and computerized images for permits and licenses as provided in subsection (a).

(c) The following permits or licenses do not require a photograph or computerized image:

- (1) Temporary motorcycle learner's permit issued under IC 9-24-8.
- (2) Motorcycle learner's permit issued under IC 9-24-8.
- (3) Operator's license reissued under IC 9-24-12-6.

(d) The bureau may provide for the omission of a photograph or computerized image from any other license or permit if there is good cause for the omission.

(e) The information contained on the permit or license as required by subsection (a)(5) or (a)(6) for a permittee or licensee who is less than twenty-one (21) years of age at the time of issuance shall be printed perpendicular to the bottom edge of the permit or license.

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(f) This subsection applies to a permit or license issued after June 30, 2006, and before July 1, 2011. At the request of the permittee or licensee and if the permittee or licensee provides documentation from a medical laboratory or a blood center (as defined in IC 16-41-12-3), the bureau shall include the permittee's or licensee's blood type, including the rhesus (Rh) factor with the information required by subsection (a) on the permit or license. The permittee or licensee is responsible for the accuracy of the blood type information submitted under this subsection.

SECTION 4. IC 9-24-16-3, AS AMENDED BY SEA 223-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) An identification card must have the same dimensions and shape as a driver's license, but the card must have markings sufficient to distinguish the card from a driver's license.

(b) The front side of an identification card must contain the following information about the individual to whom the card is being issued:

- (1) Full legal name.
- (2) Mailing address and, if different from the mailing address, the residence address.
- (3) Date of birth.
- (4) Date of issue and date of expiration.
- (5) Distinctive identification number or Social Security ~~account~~ number, whichever is requested by the individual. **If the individual has not requested that the Social Security number be the distinctive identification number to be used, the Social Security number may not be shown on the identification card.**
- (6) Sex.
- (7) Weight.
- (8) Height.
- (9) Color of eyes and hair.
- (10) Reproduction of the signature of the individual identified.
- (11) Whether the individual is blind (as defined in IC 12-7-2-21(1)).
- (12) If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual will become:
 - (A) eighteen (18) years of age; and
 - (B) twenty-one (21) years of age.
- (13) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age.
- (14) Photograph or computerized image.

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(c) The information contained on the identification card as required by subsection (b)(12) or (b)(13) for an individual who is less than twenty-one (21) years of age at the time of issuance shall be printed perpendicular to the bottom edge of the permit or license.

(d) This subsection applies to an identification card issued after June 30, 2006, and before July 1, 2011. At the request of an applicant for an identification card, and if the applicant for the identification card provides documentation from a medical laboratory or a blood center (as defined in IC 16-41-12-3), the bureau shall include the applicant's blood type, including the rhesus (Rh) factor with the information required by subsection (b) on the identification card. The applicant is responsible for the accuracy of the blood type information submitted under this subsection.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Approved: _____

Governor of the State of Indiana

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